

Hearing Pursuant to Bankruptcy Rules 4001(b) and 4001(c), and (III) Granting Related Relief (the “DIP Motion”) [Docket 13]. Exhibit B to the DIP Motion is a copy of the Superpriority Debtor-in-Possession Credit and Guaranty Agreement dated as of May 15, 2012 (the “Credit Agreement”).

PLEASE TAKE FURTHER NOTICE THAT on May 22, 2012, the Debtors filed the execution version of the Credit Agreement (the “Executed Credit Agreement”) [Docket 137].

PLEASE TAKE FURTHER NOTICE THAT the Debtors hereby submit a substantially final version of the amended and restated version of the Credit Agreement (the “Amended Credit Agreement”) annexed hereto as Exhibit 1. An electronic comparison of the Amended Credit Agreement to the Executed Credit Agreement is annexed hereto as Exhibit 2.

Dated: June 15, 2012
New York, New York

/s/ Larren M. Nashelsky

Larren M. Nashelsky

Gary S. Lee

Todd M. Goren

MORRISON & FOERSTER LLP

1290 Avenue of the Americas

New York, New York 10104

Telephone: (212) 468-8000

Facsimile: (212) 468-7900

*Proposed Counsel for the Debtors and
Debtors in Possession*